

Message Text

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ACTION ARA-20

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P 172222Z DEC 73

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 6909

C O N F I D E N T I A L SANTIAGO 6178

EO 11652: GDS

TAGS: CDES, CI(HORMAN, CHARLES)

SUBJ: EXEMPTION FOR SHIPMENT OF REMAINS

REF: STATE 242239

1. AMBASSADOR FERNANDEZ, FOREIGN MINISTRY DIRECTOR OF INTERNATIONAL RELATIONS, ASKED ME TO COME TO HIS OFFICE THIS AFTERNOON, DEC 17, ON THIS SUBJECT. GUZMAN OF HIS STAFF ALSO PRESENT.

2. FERNANDEZ SAID HE WISHED TO EXPLORE WITH ME POSSIBILITY OF CREMATION OF REMAINS BEFORE SHIPMENT, AND GAVE ME TO UNDERSTAND A TENTATIVE DECISION HAS BEEN MADE THAT CREMATION WILL BE REQUIRED. I SAID THAT OF COURSE THIS WAS DECISION FOR GOC AUTHORITIES TO MAKE. IF GOC DECIDES CREMATION REQUIRED FOR SHIPMENT, WE SHALL HAVE TO REPORT AND AWAIT INSTRUCTIONS. HOWEVER, I REMINDED FERNANDEZ THAT I HAD ALREADY POINTED OUT TO FOREIGN MINISTER HUERTA THAT HORMAN'S FATHER HAD SPECIFICALLY REQUESTED SHIPMENT OF REMAINS ALTHOUGH AWARE OF THEIR CONDITION AND THAT I HAD TOLD THE FOREIGN MINISTER THAT, CONSIDERING ALL THE CIRCUMSTANCES OF THIS CASE, I THOUGH IT WOULD BE HIGHLY DESIRABLE, IF AT ALL POSSIBLE, FOR GOC TO ACCEDE TO WISHES OF HORMAN'S FATHER. I SAID THAT SINCE MY CONVERSATION WITH THE FOREIGN MINISTER THE DEPARTMENT HAD INFORMED ME OF A LETTER FROM HORMAN'S WIDOW WHICH CONTAINS THE SUGGESTION THAT THE GOC MIGHT BE UNWILLING TO AUTHORIZE SHIPMENT OF REMAINS TO AVOID PERFORMANCE OF AN AUTOPSY. I SAID I CONSIDERED IT OBVIOUS THAT THE CONDITION OF THE REMAINS WOULD NOT PERMIT ANOTHER AUTOPSY BUT THAT THIS SUGGESTION ARGUED STRONGLY FOR SHIPMENT OF REMAINS WITHOUT CREMATION.

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3. GUZMAN INTERRUPTED TO NOTE THAT GOC PERFECTLY WILLING TO SHIP REMAINS BUT BELIEVES CREMATION DESIRABLE. I WENT ON TO STATE THAT ANOTHER POINT IN MRS HORMAN'S LETTER WAS THAT SHE ADVISED THE DEPARTMENT FORMALLY THAT CREMATION HAS NOT BEEN AUTHORIZED BY HER OR BY HORMAN'S PARENTS.

4. GUZMAN REMARKED THAT THIS MADE CLEAR THE POSITION OF THE FAMILY BUT NOT THAT OF THE USG. I SAID IT WAS THE USG POSITION THAT THE GOC SHOULD MAKE EVERY EFFORT TO ACCEDE TO THE WISHES OF THE FAMILY THAT THE REMAINS BE SHIPPED IN THEIR PRESENT STATE. GUZMAN ASKED WHETHER I HAD ANY OBJECTION TO BEING QUOTED TO THAT EFFECT AND I SAID I HAD NONE.

5. I SUMMARIZED MY POSITION IN FOLLOWING TERMS:

(I) IT IS HIGHLY DESIRABLE, GIVEN THE OTHER CIRCUMSTANCES OF THIS CASE, THAT THE GOC GRANT AN EXEMPTION FROM NORMAL CHILEAN REQUIREMENTS TO PERMIT SHIPMENT OF REMAINS AS REQUESTED BY FAMILY, IF AT ALL POSSIBLE.

(B) IT IS IMPORTANT THAT WE RECEIVE A DEFINITIVE GOC REPLY ON THIS SUBJECT AS SOON AS POSSIBLE.

(C) IF THE GOC INSISTS UPON CREMATION BEFORE SHIPMENT, UNDER NO CIRCUMSTANCES SHOULD CREMATION BE ACCOMPLISHED BEFORE THE DEPARTMENT HAS HAD AN OPPORTUNITY TO INFORM HORMAN'S FAMILY OF THE GOC DECISION AND OBTAIN THEIR INSTRUCTIONS AS TO DESIRED DISPOSITION OF REMAINS.

6. FERNANDEZ SAID THAT IN LIGHT OF OUR DISCUSSION THE FOREIGN MINISTRY WOULD APPEAL TENTATIVE DECISION WITH A VIEW TO GIVING ME A DEFINITIVE ANSWER THIS WEEK.
THOMPSON

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